



*The Telecommunications and Information
Technology Association for Utilities, Pipelines,
And Other Critical Infrastructure Companies*

October 23, 2002

Marlene H. Dortch, Secretary
Federal Communications Commission
445 - 12th Street, N.W.
Washington, D.C. 20554

**Re: Notice of Oral Ex Parte Communication
ET Docket No. 02-98, Amendment of Parts 2 and 97 of the
Commission's Rules to Create Low Frequency Allocation for the
Amateur Radio Service; WT Docket No. 02-55,
Improving Public Safety Communications in the 800 MHz Band**

Dear Ms. Dortch:

This is to notify you, pursuant to Section 1.1206 of the Commission's Rules, that the United Telecom Council (UTC), met on October 22, 2002 with Sam Feder of the Office of Commissioner Martin to discuss issues related to the above-referenced proceedings. Bill Moroney, Jeff Katz, Greg Angst and the undersigned participated on behalf of UTC.

During the meeting, UTC communicated its concern that an allocation to amateur operations in the 135 kHz band will increase the potential of significant harmful interference to utility power line carrier (PLC) transmissions. These PLC systems have been a mainstay of utility operations for decades, because they provide a cost-effective solution to support the safe, reliable and efficient delivery of electric services to the public at large. UTC believes that the risk of interference to PLC systems outweighs the speculative interest in an allocation in the 135 khz band for experimental purposes.

UTC also communicated its concerns with proposals to resolve interference in the 800 MHz band. UTC explained briefly its position in the 800 MHz proceeding, which favors tighter technical rules to require elimination of interference to all licensees over mandatory re-banding proposals. UTC and its members also support regulatory flexibility to permit channel exchanges to cure interference, restructure the band voluntarily and permit the aggregation of frequencies by all licensees for advanced shared systems that will use this valuable spectrum more efficiently. Should the FCC determine that some form of mandatory re-banding is necessary, UTC urges that issues such as adequate funding for all retuning/relocation, equivalent frequency pools in international border areas and improved technical standards to eliminate current and prevent future interference be addressed as part of the agency's decision. UTC also is concerned that a proposed 859-861 MHz "guard band" would place critical infrastructure systems now located there at risk of experiencing increased interference: licensees on these frequencies should be permitted funded migration to other areas of the band and the Commission should reinstate full 70-mile separation between systems.

If there are any questions concerning this matter, please contact the undersigned directly.

Very truly yours,

Brett Kilbourne

Brett Kilbourne
Director of Regulatory Services

Cc: Sam Feder